

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

BOY SCOUTS OF AMERICA AND DELAWARE BSA, LLC, <sup>1</sup>	) )
	) Chapter 11
	)
	) Case No. 20-10343 (LSS)
	)
Debtors.	) (Jointly Administered) ) )
	)
BOY SCOUTS OF AMERICA,	) )
	)
Plaintiff,	) ) Adv. Pro. No. 20-50527 (LSS)
v.	) )
A.A., <i>et al.</i> ,	) ) Related Adv. Docket Nos. 6,7, 32
Debtors.	) )

**NOTICE OF FILING OF PROPOSED FORM OF ORDER WITH RESPECT TO (I)  
MOTION OF BOY SCOUTS OF AMERICA FOR A PRELIMINARY INJUNCTION  
PURSUANT TO 11 U.S.C. §§ 105(A) AND 362 OF THE BANKRUPTCY CODE AND (II)  
OPPOSITION OF LG 37 DOE TO MOTION OF BOY SCOUTS OF AMERICA FOR A  
PRELIMINARY INJUNCTION PURSUANT TO 11 U.S.C. §§ 105(A) AND 362 OF THE  
BANKRUPTCY CODE**

Undersigned counsel for LG Doe 37 in the above-captioned adversary proceeding hereby files the proposed form of order, attached hereto as Exhibit A (the “Proposed Order”), with respect to the Motion of Boy Scouts of America for a Preliminary Injunction Pursuant to 11 U.S.C. §§ 105(a) and 362 of the Bankruptcy Code (Adv. Docket No. 6) (the “Motion”), the brief filed in connection with the Motion (Adv. Docket No. 7), and the opposition of LG Doe 37 (Docket No. 32) (the “Objection”) with respect to the Motion.

<sup>1</sup>

The Debtors in the chapter 11 cases, together with the last four digits of each Debtors’ federal tax identification number, are as follows: Boy Scouts of America (6300) and Delaware BSA, LLC (4311). The Debtors’ mailing address is 1325 W. Walnut Hill Ln., Irving, TX 75038.

The Proposed Order was drafted by counsel for LG Doe 37 in the event that the Court sustains the Objection and has not been reviewed by counsel for the BSA.

Dated: March 25, 2020  
Wilmington, Delaware

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*Counsel for LG Doe 37*

# **EXHIBIT A**

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

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In re:

Chapter 11

BOY SCOUTS OF AMERICA AND DELAWARE  
BSA, LLC,

Case No. 20-1343-(LSS)

Jointly Administered

Debtors,

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BOY SCOUTS OF AMERICA,

Plaintiff,

vs.

Adv. Pro. No. 20-50527-(LSS)

A.A., *et. al.*,

Defendants.

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**ORDER PURSUANT TO 11 U.S.C. §§ 105(a) AND 362 GRANTING IN PART, AND  
DENYING IN PART, THE BSA'S MOTION FOR A PRELIMINARY INJUNCTION**

Upon consideration of the Motion for a Preliminary Injunction Pursuant to 11 U.S.C. §§ 105(a) and 362 of the Bankruptcy Code (the “Motion”) of the BSA, as above-captioned plaintiff (the “Plaintiff”) in the adversary proceeding commenced by the Verified Complaint for Injunctive Relief (the “Complaint”), and as debtor and debtor in possession in the above-captioned chapter 11 cases, for entry of an order extending the stay to enjoin the prosecution of the Pending Abuse Actions pursuant to sections 105 and 362 of title 11 of the United States Code (the “Bankruptcy Code”) and Rule 7065 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”); the Court having reviewed and considered the Complaint, the Motion, the briefs, declarations and other documents filed in support of the Motion, all other evidence and argument submitted by the Plaintiff in support thereof, the Objection filed on behalf of LG 37

Doe, Defendant in the adversary proceeding, and replies thereto; and due and proper notice of the Motion having been given, and no other or further notice being necessary or required; and the Court having held a hearing; and after due deliberation and sufficient cause appearing therefor; the Court finds and concludes as follows:

A. The Plaintiff in this adversary proceeding is debtor the Boy Scouts of America (the “BSA”). The Defendants in this adversary proceeding are those parties listed in the “Underlying Plaintiffs” column of Exhibit A to the Complaint. The Defendants are all plaintiffs in lawsuits that seek to hold the BSA or the BSA Related Parties liable in actions that include claims and/or causes of action arising out of the plaintiffs’ involvement or connection with the BSA.

B. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order of Reference from the United States District Court for the District of Delaware, dated February 29, 2012.

C. The Court has entered the Consent Order Pursuant to 11 U.S.C. §§ 105(a) and 362 Granting the BSA’s Motion for a Preliminary Injunction (the “Consent Order”), pursuant to which the BSA, the Official Tort Claimants’ Committee, and the Official Committee of Unsecured Creditors have agreed to a limited preliminary injunction of the Pending Abuse Actions listed in Schedule 1 thereto, as against the BSA Related Parties identified in Schedule 2 thereto.

D. Defendant LG 37 Doe has filed the Laraine Kelley, Esq. Affidavit in Opposition to (I) the BSA’s Motion for a Preliminary Injunction; and (II) the BSA’s Motion for an Order Appointing a Judicial Mediator (A.D.I. 32 and D.I. 164) (the “LG 37 Doe Objection”) objecting

to the Motion. Defendant LG 37 Doe is therefore not currently subject to the terms of the Consent Order.

Based on these findings, IT IS HEREBY ORDERED THAT:

1. The relief requested in the Motion is GRANTED in part and DENIED in part as set forth herein.
2. The LG 37 Doe Objection is hereby SUSTAINED.
3. LG 37 Doe and other Defendants in the adversary proceeding are hereby stayed, prohibited, or otherwise enjoined from collecting or obtaining money from the excess insurance policy issued by Insurance Company of North America and Central Indemnity Company (“INA”), XCP 144961, for the period of time that the Consent Order is in effect, namely until May 18, 2020 (the “Termination Date” as defined in the Consent Order).
4. The litigation captioned as LG 37 Doe v. Douglas Nail, Greater Niagara Frontier Council, Inc., Boy Scouts of America and Boy Scouts of America, Case No. 1:20-00217 (W.D.N.Y.) (the “LG 37 Doe Abuse Action”), currently pending in the United States District Court for the Western District of New York, is not stayed, as to Douglas Nail and Greater Niagara Frontier Council, Inc., Boy Scouts of America.
5. This Order shall be promptly filed in the clerk’s office and entered into the record.
6. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Dated: \_\_\_\_\_, 2020  
Wilmington, Delaware

HON. LAURIE SELBER SILVERSTEIN